S/N 09/960,464

#5

PATENT

<u>IN THE UNITED STATES PATENT AND TRADEMARK OFFICE</u>

Applicant:

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رن ري Examiner:

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UNKNOWN

Serial No.:

09/960,464 IIIL 2 3 2002

Group Art Unit:

1680

Filed:

9/19/01

Docket No.:

12152.49USW1

Title:

QUINAZOLINE PORMULATIONS AND THEREAPEUTIC USE

THEREOF

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on July 17, 2002.

Karen Olsen

PETITION UNDER 37 C.F.R. §1.47(a)

RECEIVED

Assistant Commissioner of Patents Box DAC Washington DC 20231

JUL 2 4 2002

OFFICE OF PETITIONS

Dear Sir:

The above-referenced application was filed on December 19, 2001 with a Declaration and Power of Attorney executed by inventors Fatih Uckun and Mingshu Li. At that time, the third inventor, Seang H. Yiv, could not be located and therefore the other inventors signed the declaration on his behalf. A Statement of Facts in Support of Signing for the Missing Inventor was also filed.

Since that time, another attempt was made to locate Mr. Yiv regarding another matter. At that time, applicants counsel and administrative staff were able to locate Mr. Yiv. Please see Statement of Facts in Support of Filing on Behalf of Nonsigning Inventor (37 C.F.R. §1.47) made by Karen Olsen, filed herewith.

Although Mr. Yiv has now been located, he has not signed the Declaration and Power of Attorney. Applicants respectfully request that Mr. Yiv's inaction be considered a tacit refusal to sign and that Mr. Yiv be considered an inventor who refuses to sign under 37 C.F.R. §1.47(a). Please see Statement of Facts in Support of Filing on Behalf of Nonsigning Inventor (37 C.F.R. §1.47) made by Keith Campbell, filed herewith.

In light of the new facts presented herewith, a Decision Granting Status Under 37 C.F.R. § 1.47 is respectfully requested. A petition fee in the amount of \$130.00 (1.17(h)) is also submitted herewith.

Respectfully submitted, MERCHANT & GOULD P.C. P.O. Box 2903

Minneapolis, MN 55402-0903 612.332.5300

Date: July 17, 2002

Anna M. Nelson

Reg. No. 48,935 $^{\circ}$

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